

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In re:)	
)	
YOUNG SIL KOH,)	Case No. 22-10856-BFK
)	Chapter 13
Debtor.)	

ORDER TO SHOW CAUSE

This is the Debtor's eighth bankruptcy case.¹ It has come to this Court's attention that in a prior bankruptcy case, filed on December 10, 2019, the Court dismissed the Debtor's case with prejudice for a period of two (2) years at a hearing held on the Court's Show Cause Order. Case No. 19-14027-BFK (Docket No. 19).² On March 3, 2020, the Debtor filed a Voluntary Petition under Chapter 13 within the two year "with prejudice" period. A hearing was held on the Court's Show Cause Order and the case was dismissed with prejudice for a period of two years. Case No. 20-10676-BFK (Docket No. 34).³ The Debtor filed two more bankruptcy cases within the "with prejudice" period, and at hearings on the Court's Show Cause Orders, the cases were dismissed with prejudice for a period of two years. Case No. 20-11523-BFK (Docket No. 21) and Case No. 22-10173-KHK Docket No. 32).⁴ The current case was filed by the Debtor on July 1, 2022, and it too is within the two year "with prejudice" period. Docket No. 1.

It appears to the Court, this is the fourth time the Debtor has violated the plain terms of the Court's Orders. The Court, therefore, will set the matter for a hearing, at which the Debtor shall be present, for the Court to determine whether: (a) this bankruptcy case should be dismissed

¹ The other cases are: 15-12330; 16-10494; 17-12645; 19-14027; 20-10676; 20-11523; and 22-10173.

² A copy of the Order Dismissing Case with Prejudice is attached as Exhibit A.

³ A copy of the Order Dismissing Case with Prejudice is attached as Exhibit B.

⁴ A copy of the Order Dismissing Case with Prejudice is attached as Exhibits C & D.

with prejudice for an additional period of time; (b) whether further sanctions are appropriate; and (c) whether the Court should make a criminal referral to the U.S. District Court for alleged contempt of court under 18 U.S.C. §401(3).⁵

The Debtor is advised that she has the right to refuse to testify on Fifth Amendment grounds.

It is therefore **ORDERED**:

1. The Court will hold a hearing on **Thursday, July 21, 2022 at 1:30 p.m.** to determine: whether: (a) this bankruptcy case should be dismissed with prejudice for an additional period of time; (b) whether further sanctions are appropriate; and (c) whether the Court should make a criminal referral to the U.S. District Court for alleged contempt of court under 18 U.S.C. §401(3).

2. The Debtor must appear via video conference for this hearing through the Court's Zoom for Government (ZoomGov) program. Parties must e-mail a completed registration request form (available at <https://www.vaeb.uscourts.gov/sites/vaeb/files/ZoomRegistration.pdf>) to EDVABK-ZOOM-Judge_Kenney@vaeb.uscourts.gov in accordance with Judge Kenney's procedures for appearing by ZoomGov. This program requires pre-registration that should be completed two (2) business days prior to the hearing date.

3. The Debtor must be present at the aforesaid hearing.

⁵ Section 401(3) provides:

A court of the United States shall have power to punish by fine or imprisonment, or both, at its discretion, such contempt of its authority, and none other, as—

(3) Disobedience or resistance to its lawful writ, process, order, rule, decree, or command.

18 U.S.C. § 401(3).

4. The Clerk will mail a copy of this Order, or give electronic notice of its entry, to the parties listed below.

Date: Jul 5 2022

Alexandria, Virginia

/s/ Brian F Kenney

Brian F. Kenney
United States Bankruptcy Judge

Entered On Docket: July 5, 2022

Copies to:

Young Sil Koh
6204 Otter Run Rd.
Clifton, VA 20124
Chapter 13 Pro Se Debtor

Thomas P. Gorman
300 N. Washington Street, Suite 400
Alexandria, VA 22314
Chapter 13 Trustee

Office of the U.S. Trustee
1725 Duke Street, Suite 650
Alexandria, VA 22314

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

In re:)
)
YOUNG SIL KOH,) Case No. 19-14027-BFK
) Chapter 13
Debtor.)
_____)

ORDER DISMISSING CASE WITH PREJUDICE

On January 9, 2020, the Court held a hearing on its Order for the Debtor to Appear and Show Cause why the Case Should not be Dismissed with Prejudice (Docket No. 14), and its Notice of Possible Dismissal due to the Debtor's failure to timely file Chapter 13 Plan, Lists, Schedules, and Statements (Docket No. 11). The *pro se* Debtor did not appear at the hearing. For the reasons stated on the record, it is

ORDERED:

1. This case is dismissed with prejudice to re-filing under any chapter of the Bankruptcy Code in this or any other court for a period of two years from the entry of this Order.
2. The Debtor is advised that he will have 14 days from the entry of this Order to appeal by filing a Notice of Appeal with the Clerk of the Bankruptcy Court.
3. The Clerk will mail a copy of this order, or give electronic notice of its entry, to the parties listed below.

Date: Jan 10 2020

Alexandria, Virginia

/s/ Brian F. Kenney

Brian F. Kenney
United States Bankruptcy Judge

Entered on Docket: January 14, 2020

Copies to:
Young Sil Koh
6204 Otter Run Rd.
Clifton, VA 20124
Pro Se Debtor

Thomas P. Gorman
300 N. Washington St. Ste. 400
Alexandria, VA 22314
Chapter 13 Trustee

EXHIBIT B

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In re:)	
)	
YOUNG SIL KOH,)	Case No. 20-10676-BFK
)	Chapter 13
)	
Debtor.)	
_____)	

ORDER DISMISSING CASE WITH PREJUDICE

On May 7, 2020, the Court held a hearing on its Order for the Debtor to Appear and Show Cause why the Case Should not be Dismissed with Prejudice. Docket No. 10. The *pro se* Debtor did not appear at the hearing. For the reasons stated on the record, it is

ORDERED:

1. This case is dismissed with prejudice to re-filing under any chapter of the Bankruptcy Code in this or any other court for a period of two years from the entry of this Order.
2. If the Debtor violates this Order by re-filing within two years, the automatic stay under 11 U.S.C. § 362 shall not be in effect.
3. The Debtor is advised that he will have 14 days from the entry of this Order to file a Notice of Appeal with the Clerk of the Bankruptcy Court.
4. The Clerk will mail a copy of this order, or give electronic notice of its entry, to the parties listed below.

Date: May 7 2020

Alexandria, Virginia

/s/ Brian F. Kenney

Brian F. Kenney
United States Bankruptcy Judge
Entered on Docket: May 8, 2020

Copies to:

Young Sil Koh
6204 Otter Run Rd.
Clifton, VA 20124
Pro Se Debtor

Thomas P. Gorman
300 N. Washington St. Ste. 400
Alexandria, VA 22314
Chapter 7 Trustee

EXHIBIT C

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In re:)
)
YOUNG SIL KOH,) Case No. 20-11523-BFK
) Chapter 13
)
Debtor.)
_____)

ORDER DISMISSING CASE WITH PREJUDICE

On July 16, 2020, the Court held a hearing on its Order for the Debtor to Appear and Show Cause why the Case Should not be Dismissed with Prejudice. Docket No. 10. The *pro se* Debtor did not appear at the hearing. For the reasons stated on the record, it is

ORDERED:

1. This case is dismissed with prejudice to re-filing under any chapter of the Bankruptcy Code in this or any other court for a period of an additional two years from the entry of this Order.
2. If the Debtor violates this Order by re-filing within one year, the automatic stay under 11 U.S.C. § 362 shall not be in effect until the expiration of the with prejudice period. *In rem* relief is granted with respect to the Debtor's principal place of residence, 6204 Otter Run Road, Clifton, VA 20124.
3. The Debtor is advised that he will have 14 days from the entry of this Order to file a Notice of Appeal with the Clerk of the Bankruptcy Court.
4. The Clerk will mail a copy of this order, or give electronic notice of its entry, to the parties listed below.

Date: Jul 16 2020

Alexandria, Virginia

/s/ Brian F. Kenney

Brian F. Kenney
United States Bankruptcy Judge

1 Entered on Docket: July 17, 2020

Copies to:

Young Sil Koh
6204 Otter Run Rd.
Clifton, VA 20124
Pro Se Debtor

Thomas P. Gorman
300 N. Washington St. Ste. 400
Alexandria, VA 22314
Chapter 7 Trustee

EXHIBIT D

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**
Alexandria Division

In re:

Young Sil Koh,

Case No. 22-10173-KHK

Debtor.

(Chapter 13)

ORDER DISMISSING CASE WITH PREJUDICE

This matter is before the Court on the Court's Order for the Debtor to Appear and Show Cause why this Case should not be dismissed. (Docket No. 12). A hearing was held on March 17, 2022. The Chapter 13 Trustee appeared for the hearing. The Debtor did not appear.

Having reviewed the record, argument of counsel and the numerous bankruptcy filings by this Debtor and the Co-Debtor in relation to the relevant property, the Court finds that the Debtor filed this case in bad faith in an effort to frustrate and delay creditor action. Indeed, this is an intentional pattern of abusing the bankruptcy system: this is the Debtor's seventh bankruptcy case, and the sixteenth bankruptcy case¹ affecting the relevant real property.² Based on the foregoing, and for the reasons stated on the record, it is hereby,

¹ The Co-Debtor against whom relief from stay has also been sought, Young Ki Koh, also filed the following cases: Case Number: 07-10341 (dismissed without discharge); Case Number: 13-10448 (dismissed for Failure to File Information); Case Number: 15-10137 (Dismissed); Case Number: 15-12831 (chapter 7 discharge); Case Number: 17-10818 (Dismissed); Case Number: 18-11089 (Dismissed with Prejudice); Case Number: 19-11947 (Dismissed with Prejudice); Case Number: 19-12938 (Dismissed with Prejudice); and Case Number 21-11528 (Dismissed with Prejudice).

² The other cases are: Case Number: 15-12330 (Dismissed); Case Number: 16-10494 (Dismissed); 17-12645 (chapter 7 discharge); Case Number: 19-14027 (Dismissed with Prejudice); Case Number: 20-10676 (Dismissed with Prejudice); and Case Number: 20-11523 (Dismissed with Prejudice).

ORDERED:

1. This Case is DISMISSED with prejudice to refiling under any chapter of the Bankruptcy Code in any court for a period of two years from the date of entry of this Order.
2. The Debtor is advised that she has 14 days within which to note an appeal of this Order.
3. The Clerk shall provide a copy of this order and notice of its entry to the parties listed below.

Date: Apr 7 2022

/s/ Klinette H Kindred

Klinette H. Kindred
United States Bankruptcy Judge

Entered On Docket: Apr 7 2022

Mailed copies to:

Young Sil Koh
6204 Otter Run Road
Woodbridge, VA 22191
Pro Se Debtor

Electronic copies to:

Thomas P. Gorman
Chapter 13 Trustee